



## SAMPLE OF NO FURTHER ACTION DETERMINATION LETTERS

### CONTAMINANTS IDENTIFIED AT PROPERTY DETERMINED TO BE PRESENT AT INSIGNIFICANT LEVELS

Date @

Voluntary Party @  
Address @

***RE: NO FURTHER ACTION DETERMINATION FOR SUBJECT PROPERTY***

**Name of Voluntary Party:**  
**Legal Description of Property:**  
**Property Location:**

**Voluntary Agreement No.** \_\_\_\_\_

Dear (Name):

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of (date) for the subject property. Based on the information presented in the documents, (contaminant) in soil and/or ground water was identified at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

KDHE's evaluation of the available documents for the subject property indicates that (describe contaminants tested) contamination impacting the subject property is present at levels that do not exceed the KDHE approved risk-based cleanup levels. KDHE has determined that contamination at the subject property does not pose a significant risk to human health or the environment. Therefore, pursuant to Kansas Statutes Annotated, K.S.A. 65-34,161 *et seq.*, KDHE declares that No Further Action is necessary at the subject property. This No Further Action determination is issued to (Voluntary Party) and extends to successors and assigns of the subject property. This determination is conditioned upon (Voluntary Party) recording in the office of the Register of Deeds in and for (County), KDHE's determination summary describing the contamination remaining at the subject property, the enclosed legal map showing property boundaries and this letter containing KDHE's No Further Action determination. **An affidavit (form enclosed) indicating that the enclosures have been attached to the property deed must be returned to KDHE prior to termination of the voluntary agreement.**

KDHE's No Further Action determination applies only to the subject property as identified on the attached map and is based exclusively on information provided to KDHE through (date). This determination pertains only to the identified known conditions on the subject property and does not account for activities that may be conducted at the subject property which could cause future releases of contaminants.

If you have any questions concerning KDHE's determination for No Further Action, please contact the Project Manager, (Name) at (telephone number) or legal counsel, (Name) at (telephone number).

Sincerely,

Secretary,  
Kansas Department of Health and Environment

Attachments: KDHE No Further Action Determination Summary  
Legal map showing property boundaries  
Affidavit form



CONTAMINANTS IDENTIFIED AT PROPERTY CLEANED UP TO LEVELS THAT MEET  
ESTABLISHED REMEDIAL STANDARDS

Date @

Voluntary Party @  
Address @

**RE: NO FURTHER ACTION DETERMINATION FOR SUBJECT PROPERTY**

**Name of Voluntary Party:**  
**Legal Description of Property:**  
**Property Location:**

**Voluntary Agreement No.** \_\_\_\_\_

Dear (Name):

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of (date) for the subject property. Based on the information presented in the documents, (contaminant) in soil and/or ground water was identified at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

The KDHE has evaluated the available documents for the subject property, completed verification sampling and has determined that (contaminant) impacting the subject property has been addressed in accordance with the KDHE approved Voluntary Cleanup Plan. The KDHE hereby provides official notice that all requirements established by the Voluntary Cleanup and Property Redevelopment Program related to contamination at the subject property have been satisfactorily addressed. Therefore, pursuant to Kansas Statutes Annotated, K.S.A. 65-34,161 *et seq.*, KDHE declares that No Further Action is necessary at the subject property. This No Further Action determination is issued to (Voluntary Party) and extends to its successors and assigns of the subject property. This determination is conditioned upon (Voluntary Party) recording in the office of the Register of Deeds in and for (County), KDHE's determination summary describing any contamination that may be remaining at the subject property, the enclosed legal map showing property boundaries and this letter containing KDHE's No Further Action determination. **An affidavit (form enclosed) indicating that the enclosures have been attached to the property deed must be returned to KDHE prior to termination of the voluntary agreement.**

KDHE's No Further Action determination applies only to the subject property as identified on the attached map and is based exclusively on information provided to KDHE through (date). This determination pertains only to the identified known conditions on the subject property and does not account for activities that may be conducted at the subject property which could cause future releases of contaminants.

If you have any questions concerning KDHE's determination for No Further Action, please contact the Project Manager, (Name) at (telephone number) or legal counsel, (Name) at (telephone number).

Sincerely,

Secretary,  
Kansas Department of Health and Environment

Attachments: KDHE No Further Action Determination Summary  
Legal map showing property boundaries  
Affidavit form

CONTAMINANTS IDENTIFIED AT PROPERTY ADDRESSED IN ACCORDANCE WITH  
THE CLEANUP PLAN AND INCLUDES SPECIFIED CONTINGENCIES

Date @

Voluntary Party @  
Address @**RE: NO FURTHER ACTION DETERMINATION FOR SUBJECT PROPERTY****Name of Voluntary Party:**  
**Legal Description of Property:**  
**Property Location:****Voluntary Agreement No.** \_\_\_\_\_

Dear (Name):

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of (date) for the subject property. Based on the information presented in the documents, (contaminant) in soil and/or ground water was identified at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

The KDHE has evaluated the available documents for the subject property, completed verification sampling and has determined that (contaminant) impacting the subject property has been addressed in accordance with the KDHE approved Voluntary Cleanup Plan. The KDHE hereby provides official notice that all requirements established by the Voluntary Cleanup and Property Redevelopment Program related to contamination at the subject property have been satisfactorily addressed. Therefore, pursuant to Kansas Statutes Annotated, K.S.A. 65-34,161 *et seq.*, KDHE declares that no further affirmative remedial action is necessary at the subject property with the following conditions, if required: (identify contingent conditions; i.e. environmental use controls, long term monitoring, etc.). This No Further Action determination, including specified conditions, is issued to (Voluntary Party) and extends to its successors and assigns of the subject property. This determination is conditioned upon (Voluntary Party) recording in the office of the Register of Deeds in and for (County), KDHE's determination summary describing any contamination that may be remaining at the subject property, the enclosed legal map showing property boundaries and this letter containing KDHE's No Further Action determination. **An affidavit (form enclosed) indicating that the enclosures have been attached to the property deed must be returned to KDHE prior to termination of the voluntary agreement.**

KDHE's No Further Action determination applies only to the subject property as identified on the attached map and is based exclusively on information provided to KDHE through (date). This determination pertains only to the identified known conditions on the subject property and does not account for activities that may be conducted at the subject property which could cause future releases of contaminants.

If you have any questions concerning KDHE's determination for No Further Action, please contact the Project Manager, (Name) at (telephone number) or legal counsel, (Name) at (telephone number).

Sincerely,

Secretary  
Kansas Department of Health and EnvironmentAttachments: KDHE No Further Action Determination Summary  
Legal map showing property boundaries  
Affidavit form



CONTAMINANTS IDENTIFIED AT PROPERTY DETERMINED TO EMANATE  
FROM AN OFF-SITE SOURCE

Date @

Voluntary Party @

Address @

**RE: NO FURTHER ACTION DETERMINATION FOR SUBJECT PROPERTY**

**Name of Voluntary Party:**

**Legal Description of Property:**

**Property Location:**

**Voluntary Agreement No. \_\_\_\_\_**

Dear (Name):

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of (date) for the subject property. Based on the information presented in the documents, (contaminant) in soil and/or ground water was identified at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

KDHE's evaluation of the available documents for the subject property indicates that (describe contaminants tested) contamination impacting the subject property is associated with a release from an off-site source. The responsible party for the off-site source of contamination is currently under an agreement with KDHE, (agreement name and number), to address the extent of contamination impacting the subject property. Therefore, pursuant to Kansas Statutes Annotated, K.S.A. 65-34,169 (b)(1), KDHE declares that No Further Action is necessary at the subject property. This No Further Action determination is issued to (Voluntary Party) and extends to successors and assigns who are not otherwise responsible parties. This determination is conditioned upon the agreement of (Voluntary Party) and successive property owners, to fully cooperate and allow reasonable access to the subject property for any future investigation or remedial action that may be taken in accordance with (agreement name and number). This determination is also conditioned upon (Voluntary Party) recording in the office of the Register of Deeds in and for (County), KDHE's determination summary describing the contamination remaining at the subject property, the enclosed legal map showing property boundaries and this letter containing KDHE's No Further Action determination. **An affidavit (form enclosed) indicating that the enclosures have been attached to the property deed must be returned to KDHE prior to termination of the voluntary agreement.**

KDHE's No Further Action determination applies only to the subject property as identified on the attached map and is based exclusively on information provided to KDHE through (date). This determination pertains only to the identified known conditions on the subject property and does not account for activities that may be conducted at the subject property which could cause future releases of contaminants.

If you have any questions concerning KDHE's determination for No Further Action, please contact the Project Manager, (Name) at (telephone number) or legal counsel, (Name) at (telephone number).

Sincerely,

Secretary  
Kansas Department of Health and Environment

Attachments: KDHE No Further Action Determination Summary  
Legal map showing property boundaries  
Affidavit form



## NO CONTAMINATION IMPACTING PROPERTY

Date @

Voluntary Party @

Address @

**RE: NO FURTHER ACTION DETERMINATION FOR SUBJECT PROPERTY****Name of Voluntary Party:****Legal Description of Property:****Property Location:****Voluntary Agreement No.** \_\_\_\_\_

Dear (Name):

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of (date) for the subject property. Based on the information presented in the documents, (contaminant) in soil and/or ground water was identified at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

The KDHE has evaluated the available documents for the subject property and has determined that there is no (describe contaminants tested) contamination impacting the subject property. Therefore, pursuant to Kansas Statutes Annotated, K.S.A. 65-34,161 *et seq.*, KDHE declares that No Further Action is necessary at the subject property. This No Further Action determination is issued to (Voluntary Party) and extends to its successors and assigns of the subject property. This determination is conditioned upon (Voluntary Party) recording in the office of the Register of Deeds in and for (County), KDHE's determination summary presenting investigation results and subsequent conclusions regarding potential contaminant impact at the subject property, the enclosed legal map showing property boundaries and this letter containing KDHE's No Further Action determination. **An affidavit (form enclosed) indicating that the enclosures have been attached to the property deed must be returned to KDHE prior to termination of the voluntary agreement.**

KDHE's No Further Action determination applies only to the subject property as identified on the attached map and is based exclusively on information provided to KDHE through (date). This determination pertains only to the identified known conditions on the subject property and does not account for activities that may be conducted at the subject property which could cause future releases of contaminants.

If you have any questions concerning KDHE's determination for No Further Action, please contact the Project Manager, (Name) at (telephone number) or legal counsel, (Name) at (telephone number).

Sincerely,

Secretary,  
Kansas Department of Health and EnvironmentAttachments: KDHE No Further Action Determination Summary  
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